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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HATTORI, Kazuhiro

Group Art Unit: 1765

Serial No.: 09/816,784

Examiner: Lan Vinh

Filed: March 26, 2001

P.T.O. Confirmation No.: 5542

For: DRY ETCHING METHOD, MICROFABRICATION PROCESS AND DRY  
ETCHING MASK

**RESPONSE TO THE RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Date: March 19, 2003

Sir:

This is in response to the Office Action of February 19, 2003, requiring restriction between two alleged inventions under the provisions of 35 USC § 121.

In the Action, the examiner made a restriction requirement between the inventions of **Group I** drawn to a method of dry-etching (claims 1-7); and **Group II** drawn to a device/product (claim 8).

Applicants hereby provisionally elect **Group I**, that is, claims 1-7, for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

Favorable consideration of the subject application is respectfully requested.

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In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

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PATENT TRADEMARK OFFICE